## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richard J. Whitbourne et al.

Art Unit:

1615

Appl. No:

09/834,307

Examiner:

Rachel M. Bennett

Confirmation No:

3036

Filing Date:

April 12, 2001

Atty. Docket No:

32286-192724

For:

TARGETED THERAPEUTIC AGENT RELEASE DEVICES AND METHODS OF MAKING AND USING THE SAME Customer No:

26694
TENT TRADEMARK OFFICE

## Information Disclosure Statement Under 37 C.F.R. § 1.97(c)

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is an Information Disclosure Statement submitted under 37 C.F.R. § 1.97 within the time specified under 37 C.F.R. § 1.97(c)(2).

In order to comply with applicant's duty of disclosure under 37 C.F.R. § 1.56, the U.S. Patent and Trademark Office is notified of the documents which are listed on the attached Form PTO/SB/08A and which the Examiner may deem relevant to patentability of the claims of the above-identified application. One copy of each of the listed documents is submitted herewith.

The instant Information Disclosure Statement is being filed after the mailing date of a first Office action on the merits, but before receipt of an action that closes prosecution in the application. Accordingly, pursuant to 37 C.F.R. §1.97(c)(2), a fee of \$180.00 is attached.

In view of the above, no further translation or statement of relevance is required, and as all requirements of 37 C.F.R. § 1.97 and all official guidelines pertaining to Information

Disclosure Statements have been complied with, and it is therefore respectfully requested that

07/16/2004 HLE333 00000028 220261 09834307

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Applicants: Richard J. Whitbourne et al. Application No.: 09/834,307

the Examiner consider the documents and make them of record.

If no check is attached, please charge any necessary fee or credit any overpayment in connection with this Information Disclosure Statement to Deposit Account No. 22-0261.

Date: 7/15/2004

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known				
Application Number	09/834,307			
Filing Date	April 12, 2001			
First Named Inventor	Richard Whitbourne			
Group Art Unit	1615			
Examiner Name	Rachel M. Bennett			
Attorney Docket Number	32286-192724			

U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.1	U.S. Patent Document  Kind Code²  (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	Al	6,562,065	Bl	Shanley	05/13/2003		
	A2	6,293,967	BI	Shanley	09/25/2001		
	A3	6,241,762	BI	Shanley	06/05/2001		
			-				

	FOREIGN PATENT DOCUMENTS							
Examiner Cite No.1	Cito	Foreign Patent Document			Name of Patentee	Date of Publication of	Pages, Columns, Lines,	
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> ( <i>if known</i> )	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	Т <sub>6</sub>
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Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.